

**TABLE OF PROPOSED REVISIONS TO  
ELEVENTH CIRCUIT RULES AND INTERNAL OPERATING PROCEDURES**

<b>Page</b>	<b>Circuit Rule or IOP</b>	<b>Comments</b>
73	Cir. R. 28-2	New rule, to permit appellee to omit statements (of jurisdiction, issues, case, facts, standard of review) from appellee's brief if satisfied with appellant's statements, consistent with FRAP 28(b). [existing Cir. R. 28-2 through 28-4 to be renumbered]
74	IOP 7, <u>Briefs in Cross-Appeals</u>	Moved to follow new FRAP 28.1, in order to consolidate in one place provisions regarding briefing in cross-appeals. [existing IOP 8 through 10 to be renumbered]
75C	Cir. R. 28.1-1	New rule, to clarify that briefs in cross-appeals are also governed by Cir. R. 28-1 through 28-5.
75C	Cir. R. 28.1-2	Formerly Cir. R. 31-1(b), moved to follow new FRAP 28.1, with revisions.
75C	IOP 1, <u>Designation of Appellant in Cross-Appeals</u>	Formerly IOP 7, <u>Briefs in Cross-Appeals</u> , following FRAP 28; moved to follow new FRAP 28.1, with revisions.
75C	IOP 2, <u>Color of Covers of Briefs in Cross-Appeals</u>	Formerly part of IOP 1, <u>Color of Covers of Briefs</u> , following FRAP 32; moved to follow new FRAP 28.1, with revisions.
82	Cir. R. 31-1(b)	Moved to follow new FRAP 28.1. [existing subsections (c) through (e) to be renumbered]
91	Cir. R. 32-4	Add reference to new FRAP 28.1(e), which establishes page and type-volume limitations for briefs in cross-appeals.
92	IOP 1, <u>Color of Covers of Briefs</u>	Portions of IOP 1 pertaining to cross-appeals moved to follow new FRAP 28.1.
92	IOP 1, <u>Color of Covers of Briefs</u>	Add reference to new IOP 2, <u>Color of Covers of Briefs in Cross-Appeals</u> , following new FRAP 28.1.

Page	Circuit Rule or IOP	Comments
109	IOP 8, <u>Effect of Recusal or Disqualification on Number of Votes Required</u>	Conform IOP to amended FRAP 35(a), which adopts the "case majority" approach to determine the number of votes required to hear or rehear a case en banc.

**FRAP Amendments Effective December 1, 2005**  
(if Congress takes no action otherwise)

*The comments of the Advisory Committee on the Federal Rules of Appellate Procedure may be found at [www.uscourts.gov/rules](http://www.uscourts.gov/rules)*

4(a)(6)  
26(a)(4)  
27(d)(1)(E)  
28(c)  
28(h)  
28.1  
32(a)(7)(C)  
34(d)  
35(a)  
45(a)(2)